

55 Mm

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983

Name Anderson, Benjamin

(Last) (First) (Initial)

Prisoner Number K91382

Institutional Address Correctional Training Facility

P.O.Box 689, Soledad, Calif. 93960

FILED

JUL - 3 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Benjamin Anderson

(Enter the full name of plaintiff in this action.)

vs.

James E. Tilton, Secretary(CDCR)

Ben Curry, Warden(CTF)

Dr. Khaja, Psychiatrist(CTF)

Et .Al.

(Enter the full name of the defendant(s) in this action)

CV

08

3204

(To be provided by the clerk of court)

COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
42 U.S.C §§ 1983

(PR)
MMC

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement Correctional Training Facility

B. Is there a grievance procedure in this institution?

YES (X) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES(X) NO ()

D. If your answer is YES, list the appeal number and the date and result of the appeal at

Appeal number, 08-00308

COMPLAINT

- 1 -

each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal request denied

2. First formal level request denied

3. Second formal level partially granted, central file was reviewed for history of in-cell aggression,

4. Third formal level screened out at this level, to avoid answering the merits of plaintiffs claims.

E. Is the last level to which you appealed the highest level of appeal available to you?

YES (X) NO ()

F. If you did not present your claim for review through the grievance procedure, explain

why. not applicable

II. Parties

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

Benjamin Anderson, Prisoner I.D. K91382

P.O. Box 689, Correctional Training Facility

Soledad, Calif. 93960-0689

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

The name, title, and place of employment of each defendant is listed on the next page.

1 James E. Tilton, Secretary,
2 California Department of Corrections
3 and Rehabilitation
4 P.O.Box 942883
5 Sacramento, California 94283-0001
6

7 Ben Curry, Warden
8 Correctional Training Facility(CTF)
9 P.O.Box686
10 Soledad, California 93960-0686
11

12 Dr.Khaja, Psychiatrist
13 Correctional Training Facility(CTF)
14 Mental Health Dept.
15 P.O.Box686
16 Soledad, California 93960-0686
17

18 Defendants are represented by,
19 Edmund G. Brown Jr. Attorney General
20 State of California
21 455 Golden Gate Ave. Suite 11000
22 San Francisco, California 94102-7004
23
24
25
26
27
28

Complaint

2(a)

1 The name, official position, and place of employment
2 of each defendant is listed on the previous page(2a)

3
4 III. Statement of Claim

5 State here as briefly as possible the facts of your case. Be sure to describe how each
6 defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any
7 cases or statutes. If you have more than one claim, each claim should be set forth in a separate
8 numbered paragraph.

9 Paragraph I.

10 Plaintiff is a member of an identifiable group of mentally
11 impaired inmates, receiving psychotropic medications.
12 Plaintiff requested that defendant Khaja, reduce
13 medication amount(doseage) and temporarily assign plaintiff
14 to a single cell, because the reaction to medication
15 causes problems with other inmates with whom he is double
16 celled, which leaves plaintiff defenseless and particularly
17 vulnerable to violent attack while under prescribed
18 medication, because he is incapable of functioning at a
19 level sufficient to protect himself.

20
21 continued on (3a)

22 IV. Relief

23 Your complaint cannot go forward unless you request specific relief. State briefly exactly what
24 you want the court to do for you. Make no legal arguments; cite no cases or statutes.

25 Injunctive Relief Requested

26 (A.) forthwith place plaintiff(Anderson) in a single cell,
27 for safety and mental health concerns, pending a
28 second opinion other than defendant Khaja.

Additional relief requested on page 3(e)

COMPLAINT

Statement of Claim

Paragraph I. Contd.

As a result plaintiff requested single-cell placement for safety and mental health concerns. this request has been repeatedly denied by defendant Khaja reasoning each time that,(plaintiff must first engage in aggressive and combative in cell behavior against his cell-partner as a criteria to even be considered for single cell placement) Defendant Khaja has authority as a member of the mental health staff at (CTF) to reasonably accomodate plaintiffs single cell placement under the Americans with Disabilities Act(1990) 42 U.S.C. 12101-12213, but has refused to do so, which shows a **Deliberate Indifference** to the plaintiffs overall safety and mental health needs, of which he has a professional obligation, which violates the plaintiffs constitutional right to adequate mental health care, an reasonable amount of safety, and his Eighth Amendment right to be free from cruel and unusual punishment, by sanctioning what are essentially, illegal **Gladiator Fights** as a criteria to be considered for single cell placement.

Paragraph II.

James E. Tilton is Secretary, California Department of Corrections and Rehabilitation, and is responsible for the supervision, management, and control of state prisons and its employees.

Complaint

3(a)

Statement of Claim

Paragraph II. cont.

He is also responsible for the medical and mental health care , custody, discipline, and reasonable safety of all persons confined therein. Defendant Tilton was aware, knew or should have known, that the illegal policy of requiring mentally impaired inmates to first engage in aggressive and combative in cell behavior against thier cell- partner as a criteria to even be considered for single cell placement, would result in substantial risk of serious harm or injury to plaintiff, yet defendant Tilton failed to take reasonable measures to abate such risk when it was obvious, which shows a **Deliberate Indifference** to the plaintiffs overall safety and mental health needs, thus violating the plaintiffs constitutional right to adequate mental health care, a reasonable amount of safety, and his Eighth Amendment right to be free from cruel and unusual punishment, by sanctioning what are essentially illegal **Gladiator Fights** as a criteria to be considered for single cell placement.

Paragraph III.

Ben Curry is warden at Correctional Training Facility, Soledad California, and is responsible for its daily operations, supervision and management of all the institutions civilian and correctional employees.

Statement of Claim

Paragraph III. cont.

He is also responsible for the medical and mental health care custody, discipline, and reasonable safety of all persons confined therein. Defendant Curry was aware, knew or should have known that the illegal policy of requiring mentally impaired inmates to first engage in aggressive and combative in-cell behavior against their cell-partner as a criteria to even be considered for single cell placement, would result in substantial risk of serious harm or injury to plaintiff, yet defendant Curry failed to take reasonable measures to abate such risk when it was obvious, which shows a **Deliberate Indifference** to the plaintiffs overall safety and mental health needs, which violates the plaintiffs right to adequate mental health care, reasonable safety, and his Eighth Amendment right to be free from cruel and unusual punishment by sanctioning what are essentially illegal **Gladiator Fights** as a criteria to even be considered for single cell placement.

Paragraph IV.

Defendant Tilton in his official capacity as Secretary, California Department of Corrections and Rehabilitation, and defendant Curry, in his official capacity as warden,

Statement of Claim

1
2 Correctional Training Facility, Soledad, California were both
3 aware, knew, or should have known that continuing to allow
4 the pattern and practice of maintaining constitutionally
5 deficient prisons violates the plaintiffs, and other similarly
6 situated inmates Eighth Amendment right to be free from cruel
7 and unusual punishment. In addition to inadequate (1) medical
8 (2) mental health care, the overall prison conditions of severe
9 overcrowding, (3) double celling of inmates in a structure
10 built during post world war II, which when constructed, had
11 a rated design capacity for single cell occupancy, falls well
12 short of the recommended minimum of 50 sq. ft. of floor space
13 and is not compatible for housing two inmates serving lengthy
14 terms of imprisonment humanely, and as psychologically
15 necessary to uphold the Eighth Amendments ban on cruel and
16 unusual punishment. (4) inadequate lighting and (5) inadequate
17 ventilation in cells, broken glass which exposes plaintiff and
18 other similarly situated inmates to (6) temperatures colder
19 than usual, during the winter months, and, (7) an inadequate
20 amount of shower heads, (twelve total) to some (350) inmates
21 poses an unreasonable health risk of bacteria and staph
22 infection. Both of the defendants have knowledge of the overall
23 prison conditions and constitutional violations, but have failed
24 to take reasonable measures to abate such risks, which show
25 a clear **Deliberate Indifference** to the plaintiffs overall
26 safety, medical and mental health needs, which contravenes the
27 Eighth Amendment, while acting under color of state law.
28

COMPLAINT

3(d)

continued from page (3)

Injunctive Relief Requested

(B) Defendants shall forthwith cease and desist, abolish the practice requiring mentally impaired inmates to first engage in combative in-cell behavior against thier cell partner, as a criteria to even be considered for single cell placement.

Declaratory Relief Requested

(C) Plaintiff wishes to enjoin the defendants from maintaining (CTF) prisons that are unsafe, and severely overcrowded, and otherwise not in compliance with the minimum standards of contemporary human decency, and the basic requirement of not less than 50 sq. ft. of floor space per inmate.

(D) Plaintiff wishes to enjoin the defendants at (CTF) from double-celling inmates in cells designed for single cell occupancy, and limit the number of inmates not to exceed the institutions rated design capacity.

Declaratory and Injunctive relief requested

see, pages 3 and 3(e)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18th day of June, 2008

Bayan Adin

(Plaintiff's signature)

PROOF OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(Fed. R. Civ. P. 5, 28 U.S.C. § 1746)

I, **Benjamin Anderson**, declare:

I am over 18 years of age and a party to this action. I am a resident of _____

Correctional Training Facility Prison,

in the county of **Monterey**,

State of California. My prison address is: **P.O. Box 689**,

Soledad, Calif. 94060-0689

On **June 18, 2008**
(DATE)

I served the attached: **Civil Rights Complaint pursuant to**

42 U.S.C. 1983

(DESCRIBE DOCUMENT)

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named correctional institution in which I am presently confined. The envelope was addressed as follows:

Clerk of Court

United States District Court

Northern District of California

450 Golden Gate Ave. P.O. Box 36060

San Francisco, Calif. 94102

I declare under penalty of perjury under the laws of the United States of America that the foregoing

is true and correct.

Executed on **June 18, 2008**
(DATE)


(DECLARANT'S SIGNATURE)

PROOF OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(Fed. R. Civ. P. 5, 28 U.S.C. § 1746)

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Edmund G. Brown Jr. Attorney General
State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 9402-7004

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **June 18, 2008**
(DATE)


(DECLARANT'S SIGNATURE)

United States District Court
Northern DISTRICT OF California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:

James E. Tilton

TO: (Name and Address of Defendant)

James E. Tilton, Secretary
California Department of Corrections
and Rehabilitation
P.O. Box 942883
Sacramento, Calif. 94283-0001

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. K91382
Correctional Training Facility
P.O. Box 689
Soledad, Calif. 93960-0689
In Pro Se

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Defendant is represented by,
Edmund G. Brown Jr. Attorney General
State of California
495 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004

CLERK

DATE

BY DEPUTY CLERK

United States District Court
Northern _____ DISTRICT OF _____ California _____

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

Ben Curry

TO: (Name and Address of Defendant)

Ben Curry, Warden
Correctional Training Facility
P.O. Box 686
Soledad, Calif. 93960-0686

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. K91582
Correctional Training Facility
P.O. Box 689
Soledad, Calif. 93960-0689

In Pro Se

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Defendant is represented by,
Edmund G. Brown Jr. Attorney General
State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004

CLERK

DATE

BY DEPUTY CLERK

United States District Court
Northern DISTRICT OF California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:

Dr. Khaja, Psychiatrist

TO: (Name and Address of Defendant)

Dr. Khaja, Mental Health Department
Correctional Training Facility
P.O.Box 686
Soledad, Calif. 93960-0686

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. K 91382
Correctional Training Facility
P.O.Box 689
Soledad, California 93960-0689

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State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004

CLERK

DATE

BY DEPUTY CLERK

United States District Court
Northern DISTRICT OF California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

V.
Tilton, Curry, Khaja
Et.Al.

CASE NUMBER:

TO: (Name and Address of Defendant)
Edmund G. Brown Jr. Attorney General
State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004
For the Defendants

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. K91382
Correctional Training Facility
P.O.Box 689
Soledad, Calif. 93960-0689

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CLERK

DATE

BY DEPUTY CLERK

JS 44
(Rev. 07/89)

CIVIL COVER SHEET

ORIGINAL

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers required by law, nor do they provide any legal advice. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Court for the purpose of filing a civil case. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

Benjamin Anderson

DEFENDANTS

James E. Tilton, Secretary, (CDCR)
Ben Curry, Warden, (CTF)
Dr. Khaja, Psychiatrist, (CTF)

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Monterey
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Sacramento
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Benjamin Anderson, K91382
Correctional Training Facility
P.O. Box 689
Soledad, Calif.

ATTORNEYS (IF KNOWN)

Edmund G. Brown Jr. Attorney General
State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif.

II. BASIS OF JURISDICTION

(PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY: 42 U.S.C. 1983, constitutionally deficient mental health care, inadequate prison conditions, deprivation of plaintiffs Eighth Amendment right to be free from cruel and unusual punishment

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Legislation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395a) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSI/Tie XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 971 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 510 Selective Service <input type="checkbox"/> 550 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mardemus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☒ Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION NO DEMAND \$ NONE
☐ UNDER F.R.C.P. 23 **INJUNCTIVE AND DECLARATORY**
 Check YES only if demanded in complaint: **JURY DEMAND:** ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

NONE

JUDGE

DOCKET NUMBER

DATE June 18, 2008

SIGNATURE OF ATTORNEY OF RECORD

By [Signature] For Pro Se

United States District Court
Northern _____ DISTRICT OF _____ California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:

James E. Tilton

TO: (Name and Address of Defendant)

James E. Tilton, Secretary
California Department of Corrections
and Rehabilitation
P.O. Box 942883
Sacramento, Calif. 94283-0001

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. K91382
Correctional Training Facility
P.O. Box 689
Soledad, Calif. 93960-0689
In Pro Se

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Defendant is represented by,
Edmund G. Brown Jr. Attorney General
State of California
495 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7404

CLERK

DATE

BY DEPUTY CLERK

United States District Court

Northern

DISTRICT OF

California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

Ben Curry

TO: (Name and Address of Defendant)

Ben Curry, Warden
Correctional Training Facility
P.O. Box 686
Soledad, Calif. 93960-0686

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State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004

CLERK

DATE

BY DEPUTY CLERK

United States District Court
Northern DISTRICT OF California

Benjamin Anderson

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

Dr. Khaja, Psychiatrist

TO: (Name and Address of Defendant)

Dr. Khaja, Mental Health Department
Correctional Training Facility
P.O.Box 686
Soledad, Calif. 93960-0686

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Benjamin Anderson, Prisoner I.D. # 91382
Correctional Training Facility
P.O.Box 689
Soledad, California 93960-0689

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State of California
455 Golden Gate Ave. Suite 11000
San Francisco, Calif. 94102-7004

CLERK

DATE

BY DEPUTY CLERK

PROOF OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(Fed. R. Civ. P. 5, 28 U.S.C. § 1746)

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Soledad, Calif. 93960-0689

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(DATE)

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42 U.S.C. 1983

(DESCRIBE DOCUMENT)

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Edmund G. Brown Jr. Attorney General

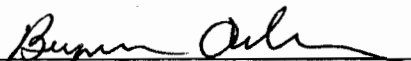
State of California

455 Golden Gate Ave. Suite 11000

San Francisco, Calif. 94102-7004

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **June 18, 2008**
(DATE)


(DECLARANT'S SIGNATURE)

To. The Clerk of Court

U.S. District Court

Northern District of California

From. Benjamin Anderson K91582

Correctional Training Facility

P.O. Box 689

Soledad, Calif. 93960

Dear Sir, or Madam,

I have enclosed copies of the complaint and summons to be served upon each of the defendants and thier attorney. I would also like to request a filed stamped, conformed copy of the complaint for my records.

Thank-you for your assistance in this extremely important matter.

Sincerly Yours

A handwritten signature in cursive script, appearing to read "Benjamin Anderson", written in dark ink.

13. Anderson ~ 71200
CTF, C-1182

P.O. Box 689

Soledad, Calif. 93960



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